IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.1299 OF 2005

Yashwant Shankar Naik & Ors. ...Appellants
Vs.
Suryakant Bhiva Mulik & Ors. ...Respondents

Mr R.D. Sawant for the Appellants.
Mr Y.S. Bhate for the Respondents.

CORAM : A. S. OKA, J.
DATE : APRIL 18, 2006.

P.C.:

1. Heard the Advocates appearing for the parties.

The Appeal is by the original Defendants. The Respondents filed a suit simplicitor for injunction. The suit was decreed by the Trial Court and the Decree of the Trial Court has been confirmed in the Appeal.

2. After having heard the learned Advocates appearing for the parties, I find that no substantial question of law arises in the Second Appeal. The Appellate court has held that the Appellants in their evidence have admitted the possession of the original Plaintiffs over the suit land by unambiguous and clear admissions. In view of this finding, no fault can be found with decree for perpetual injunction which is passed in favour of the original Plaintiffs. There is no merit in the Appeal and the same is accordingly dismissed with no order as to costs.

JUDGE